



# **JUNEE SHIRE COUNCIL**

## **CONFIRMATION OF MINUTES ORDINARY MEETING**

# **MINUTES OF THE ORDINARY MEETING OF JUNEE SHIRE COUNCIL HELD IN THE COUNCIL CHAMBERS, BELMORE STREET, JUNEE ON TUESDAY, 21 MAY 2019.**

The meeting opened at 4.33pm.

## **PRESENT**

Councillors N Smith, R Asmus, M Austin, D Carter, R Callow, M Cook, M Holmes and K Walker.

Councillor P Halliburton arrived at 5.15pm.

## **STAFF**

General Manager, Director Finance and Administration, Director Community and Business, Director Engineering Services and Executive Assistant.

## **CONFIRMATION OF MINUTES – ORDINARY MEETING 16 APRIL 2019**

**01.05.19** **RESOLVED** *on the motion of Cr R Asmus seconded Cr M Austin that the minutes of the Ordinary Meeting held on 16 April 2019, copies of which had been supplied to each Councillor, be confirmed.*

## **BUSINESS ARISING**

Nil

## **DECLARATIONS OF INTEREST**

Councillors were invited to disclose any Declarations of Interest related to the items of business in the report.

The General Manager declared a pecuniary interest in Item 13 of the General Manager's Confidential report as the report deals with a matter of employment related to the position of the General Manager.

## **MAYORAL MINUTE**

Nil

## **GENERAL MANAGER'S REPORT**

The General Manager presented a report which dealt with Items 1 to 9, and the following action was taken:

### **1[DFA] QUARTERLY BUDGET REVIEW STATEMENT – MARCH 2019**

**02.05.19** **RESOLVED** *on the motion of Cr R Callow seconded Cr M Austin that:*

- 1. The Quarterly Budget Review Report as at 31 March 2019 be received and noted; and*
- 2. The Council approve the variations in budgets at 31 March 2019.*

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CHAIRPERSON: \_\_\_\_\_

GENERAL MANAGER: \_\_\_\_\_

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**2[GM] DRAFT DELIVERY PROGRAM AND OPERATIONAL PLAN FOR 2019-2023**

**03.05.19** **RESOLVED** on the motion of Cr R Callow seconded Cr K Walker that the draft Delivery Program 2019-23, Operational Plan 2019-20 be advertised for public comment for 28 days.

**3[DFA] EMERGENCY SERVICES LEVY 2019/2020**

**04.05.19** **RESOLVED** on the motion of Cr R Asmus seconded Cr M Austin that Council note the report on NSW State Government increases to the emergency services levy.

**4[DFA] CODE OF CONDUCT – POLICY AND PROCEDURES**

**05.05.19** **RESOLVED** on the motion of Cr R Callow seconded Cr M Austin that:

1. Council adopt the three Code of Conduct documents and Procedures for the Administration of the Code of Conduct presented.
2. The Complaints Coordinator in accordance with Sec 3.17 of the Code of Conduct be the Director Finance and Administration with the Alternate Complaints Coordinator being the Director Community and Business.

**5[FM] COUNCIL INVESTMENTS AND BANK BALANCES**

**06.05.19** **RESOLVED** on the motion of Cr K Walker seconded Cr R Asmus that:

1. The Monthly Investment Reports as at 30 April 2019 be received and noted.
2. The Certificate of the Responsible Accounting Officer be noted and the report adopted.

**6[DES] KERB AND GUTTER POLICY**

**07.05.19** **RESOLVED** on the motion of Cr M Austin seconded Cr M Cook that Council adopt the Kerb and Gutter Policy.

**7[DCB] PLANNING PROPOSAL LEP19/01 - AMENDMENT TO JUNEE LEP 2012 TO REDUCE THE MINIMUM LOT SIZE PROVISIONS APPLICABLE TO LOTS 141 & 142 DPI223530 & LOT 15 DPI035451, LOUGHAN ROAD JUNEE.**

**08.05.19** **RESOLVED** on the motion of Cr R Asmus seconded Cr R Callow that:

1. Council support the planning proposal LEP19/01 prepared to amend the Junee Local Environmental Plan 2012.
2. Submit the planning proposal to the Department of Planning and Environment for Gateway Determination.

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3. *Receive a further report after the public exhibition period:*
  - a) *Addressing any submissions made in respect of the planning proposal.*
  - b) *Proposing adoption of the planning proposal unless there are any recommended amendments deemed to be substantial and requiring a further public exhibition period.*

As required under Section 375A of the Local Government Act, the following is the record of voting for this planning matter.

FOR: Councillors N Smith, R Asmus, M Austin, D Carter, R Callow, M Cook, M Holmes and K Walker.

AGAINST: Nil

**8[DCB] AMENDMENT TO JUNEE DEVELOPMENT CONTROL PLAN (DCP) 2015 - CHAPTER 5 'JOHN POTTS ESTATE' AND CHAPTER 6 'RESIDENTIAL DEVELOPMENT'**

**09.05.19** **RESOLVED** on the motion of Cr R Asmus seconded Cr R Callow that:

1. *Council exhibit the proposed amended version of Chapter 5 'John Potts Estate' and Chapter 6 'Residential Development' of the Junee Development Control Plan 2015 for a period of 28 days.*
2. *Council receive a further report after the public exhibition period which addresses any submission made.*

As required under Section 375A of the Local Government Act, the following is the record of voting for this planning matter.

FOR: Councillors N Smith, R Asmus, M Austin, D Carter, R Callow, M Cook, M Holmes and K Walker.

AGAINST: Nil

**9[DCB] VILLAGE IMPROVEMENT PLANS**

**10.05.19** **RESOLVED** on the motion of Cr M Austin seconded Cr R Callow that Council receive and note the report on village improvement plans.

**10[DCB] LARGE SCALE SOLAR ENERGY DEVELOPMENTS**

**11.05.19** **RESOLVED** on the motion of Cr D Carter seconded Cr K Walker that Council receive and note the report on large scale solar energy developments.

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## **COMMITTEE REPORTS**

### **I. Village and Rural Improvement Committee**

**12.05.19** **RESOLVED** on the motion of Cr D Carter seconded Cr M Austin that the minutes of the Village and Rural Improvement Committee held 1 May 2019 be adopted.

## **DELEGATES' REPORTS**

- Riverina Joint Organisation

## **NOTICE OF MOTION**

**13.05.19** **RESOLVED** on the motion of Cr D Carter seconded Cr M Austin that:

1. We write to the Member for Cootamundra, Steph Cooke MP and Local Government NSW expressing our concern regarding the size of the Emergency Services Levy increase for 2019/2020 and the projected increase for the 2020/2021 year.
2. We write to the Riverina Joint Organisation and REROC asking for their support in this matter.

## **LATE BUSINESS**

Councillor Mark Cook advised that he will be away for the June Ordinary Council meeting.

**14.05.19** **RESOLVED** on the motion of Cr N Smith seconded Cr R Callow that Councillor Neil Smith be granted leave for the June and July Ordinary Council meetings as he will be overseas.

## **QUESTIONS ON NOTICE**

Nil

## **INFORMATION BOOKLET**

The information booklet was received and noted.

## **CONFIDENTIAL REPORT**

**15.05.19** At 5.06pm Council **RESOLVED** on the motion of Cr R Callow seconded Cr R Asmus to go into Closed Committee of the Whole under Section 10A (2):

- (a) personnel matters concerning particular individuals (other than councillors).
- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.
- (d)(i) prejudice the commercial position of the person who supplied it.

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**11[DES] LAURIE DALEY AMENITIES – TENDER**

**16.05.19** **RESOLVED** on the motion of Cr R Callow seconded Cr R Asmus that:

1. Council in accordance with clause 178(1)(b) of the Local Government (General) Regulation 2005 (LG Regulation), decline to accept any of the tenders submitted in response to the RFT JSC.002.01.01.2019. for the Laurie Daley Oval amenities.
2. Note the reason for rejecting the tenders is that the submitted tenders were either non-conforming or exceeded the budget for the project.
3. In accordance with clause 178(3)(e) of the LG Regulation, authorise the General Manager or their delegate to enter into direct negotiations with one or more of the tenderers with a view to entering into a contract in relation to the subject matter of the RFT JSC.002.01.01.2019.
4. Note the reason for proceeding to direct negotiations is that Council has now participated in two open tender processes without achieving an acceptable tender offer and it is anticipated that direct negotiations with one or more of the unsuccessful tenderers may produce an acceptable result.
5. Authorise the General Manager or their delegate to enter into a contract for the Laurie Daley Oval amenities project if a successful negotiation is achieved.
6. Authorise the affixing of Council's Common Seal to all relevant documents as required.

**12[DCB] JUNEE LIFESTYLE VILLAGE PTY LTD – REQUEST FOR PURCHASE OF LAND**

**17.05.19** **RESOLVED** on the motion of Cr R Asmus seconded Cr M Austin that:

1. Council provides in-principle support for the sale of a portion of Lot 19 in DP1252108 (approximately 580m<sup>2</sup> in area) to Junee Lifestyle Village Pty Ltd on the terms outlined in this report.
2. Council delegate authority to the General Manager to negotiate the value of the land with Junee Lifestyle Village Pty Ltd based upon an independent appraisal and taking into account all costs to create Title.
3. If the terms as outlined in the body of this report are agreed by Junee Lifestyle Village Pty Ltd, Council will make application to sub-divide the land as identified in this report.
4. If the application for subdivision is approved, Council agree to the sale of the land as identified in this report and on the terms agreed with Junee Lifestyle Village Pty Ltd, and delegate authority to the General Manager to enter into a Contract of Sale of the land.
5. The Council's common seal be applied to all relevant documents as required.

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The General Manager and staff were asked to leave the Council Chambers at 5.33pm.

## **13[MAYOR] ANNUAL PERFORMANCE REVIEW – GENERAL MANAGER**

**18.05.19** **RESOLVED** on the motion of Cr R Asmus seconded Cr M Cook that:

1. Council note the report tabled by the sub-committee relating to the 2019 Performance Review of the General Manager.
2. Council make adjustments to the total remuneration package as recommended within the report. That the Mayor and Deputy Mayor be delegated authority to consult with Director of Finance and Administration to arrive at the corrected figure and adjustment to undertake the necessary administrative change to the total remuneration package.

The General Manager and staff returned to the Council Chambers at 5.50pm.

## **ADDRESS BY QUBE HOLDINGS**

Mr Sean Hovey, General Manager Strategic Assets of Qube Holdings addressed the Council regarding the operations and future directions of the Harefield terminal.

**19.05.19** **RESOLVED** on the motion of Cr R Asmus seconded Cr P Halliburton that the Council note the presentation by Mr Sean Hovey, General Manager Strategic Assets of Qube Holdings.

## **REVERSION TO OPEN COUNCIL**

**20.05.19** **RESOLVED** on the motion of Cr R Callow seconded Cr P Halliburton that Council move out of committee and revert to an open meeting of the Council, the time being 6.57pm.

**21.05.19** **RESOLVED** on the motion of Cr R Callow seconded Cr P Halliburton that Council adopt the resolutions made in Closed Committee.

There being no further business, the meeting closed at 7.00pm.

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CHAIRPERSON: \_\_\_\_\_

GENERAL MANAGER: \_\_\_\_\_